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November 7, 2016

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Petition for Limited Waiver of Comcast Cable Communications, LLC,
WC Docket No. 13-39

Dear Ms. Dortch:

Comcast Cable Communications, LLC (“Comcast”) hereby responds to the two reply comments that were filed in response to its request for a limited waiver of certain call reporting and record retention rules.¹ As we show below, both of these reply comments are inapposite and should not delay the Federal Communications Commission (“FCC” or “Commission”) from promptly granting Comcast’s Petition.

Eastern Rural Telecom Association. In its reply comments, Eastern Rural Telecom Association (“ERTA”) states that “rural call completion remains an important issue in America that Comcast should not be treating lightly.”² ERTA also cites purported call completion concerns involving two of the association’s more than thirty members, Nsight Telservices (“Nsight”) and MGW Telephone (“MGW”).³

¹ Petition for Limited Waiver of Comcast Cable Communications, LLC, WC Docket No. 13-39 (filed Sept. 9, 2016) (“Petition”). Due to the inadvertent omission of certain enterprise traffic in its rural call completion filings, Comcast has requested a *nunc pro tunc* waiver of its obligation to report, record, and retain call completion information required pursuant to sections 64.2103 and 64.2105 of the FCC’s rules with respect to Comcast’s previously filed FCC Form 480 reports. The waiver is not needed for, and will not affect, any future FCC Form 480 report filed by Comcast.

² Reply Comments of the Eastern Rural Telecom Association, WC Docket No. 13-39, at 1 (filed Oct. 5, 2016).

³ *Id.* at 1-3.

While Comcast certainly agrees with ERTA that rural call completion is an important issue and has undertaken substantial call completion-related efforts, ERTA's comments provide no basis for denying Comcast's Petition. As the record in this proceeding and the actions and facts described below make clear, Comcast does not treat such issues "lightly." Rather, Comcast takes its obligations under the rules seriously, which is why it reached out to both Nsight and MGW to address the alleged service problems raised in ERTA's comments.

In the former case, a Comcast representative spoke with an Nsight representative, who confirmed that Nsight is not currently experiencing any rural call completion issues related to Comcast and has not encountered such issues in quite some time. To ensure that any future service quality concerns can be resolved quickly, Comcast provided Nsight's representative with Comcast's carrier-to-carrier contact information.

With respect to MGW, the alleged service issues appear to relate to a single end-user customer who complained that it did not receive calls from a single caller over a two-day period.⁴ Comcast reached out to MGW multiple times over the past several weeks. During an initial brief conversation with someone at the company, MGW told Comcast it would look into the issue and get back to Comcast. MGW has not done so to date. While Comcast has attempted on several occasions since this initial call to reach out to MGW, the company has not responded to Comcast's repeated calls or e-mails. However, Comcast provided MGW with the carrier-to-carrier contact information, so that any problems it may experience going forward can be addressed satisfactorily. In any event, ERTA's comments regarding MGW are unrelated to Comcast's rural call reports or record retention practices and therefore should not serve to delay grant of Comcast's Petition.

Flowroute Inc. In its reply comments, Flowroute raises for the first time irrelevant allegations that Comcast may have experienced possible "call completion problems, service related matters, and as-yet undiagnosed or unidentified related issues of which Comcast is unaware."⁵ Flowroute fails to cite any specific rural call completion-related issues that it or anyone else has experienced. This is hardly surprising: Comcast has fully described its robust rural call completion practices and safeguards in the Petition and in its reply comments.⁶ Moreover, Comcast provided the Commission with its consistently high rural call completion metrics and demonstrated that the inclusion of its inadvertently omitted toll traffic did not reduce these metrics.⁷

⁴ *Id.* at 2-3.

⁵ Reply Comments of Flowroute Inc., WC Docket No. 13-39, at 2 n.7 (filed Oct. 5, 2016) ("Flowroute Reply Comments").

⁶ Petition at 5-8; Reply Comments of Comcast Cable Communications, LLC, WC Docket No. 13-39, at 3 (filed Oct. 4, 2016) ("Comcast Reply Comments").

⁷ Petition at 3-4.

Flowroute also argues that granting Comcast's waiver "would give [Comcast] an excuse to avoid questions with respect to its call completion and network management practices" and allow Comcast to "disclaim any obligation to maintain or attempt to recover relevant records."⁸ This groundless allegation is demonstrably false. As Comcast has explained, the requested waiver relates only to a subset of *past calls* originated by certain enterprise customers. Comcast's reports have included *all* of the required toll call attempts originated by its residential consumers and the vast majority of the required call attempts originated by its enterprise customers that continue to be served by legacy soft switches. Accordingly, approval of the requested limited waiver would not impair the Commission's ability to analyze whether Comcast's call completion rates to rural areas were satisfactory and comparable to its completion rates for calls to non-rural exchanges, either in the past or going forward.⁹ Similarly, Comcast will remain obligated to answer any questions that the FCC may have regarding its rural call completion practices. As the record shows, Comcast also has put in place additional internal safeguards to prevent such reporting oversights from occurring in the future, thereby ensuring that Comcast fully complies with – rather than "disclaims" – its reporting and record retention obligations.¹⁰

* * *

Comcast has shown above that ERTA's and Flowroute's reply comments are without merit and provide no basis for a denial of Comcast's Petition. Comcast also fully addressed the only other filing in the record – NTCA's comments¹¹ – in its reply comments.¹² Simply stated, the record in this proceeding clearly demonstrates that Comcast's commitment to call completion best practices and its implementation of extensive internal safeguards have led to consistently high call completion rates to both rural and non-rural exchanges in 2015 and 2016. Notably, these high rates were reflected in Comcast's most recent FCC Form 480 filing for the third quarter of 2016, *which included all reportable traffic and which reflected call answer and completion metrics consistent with those Comcast previously has reported*. Thus, there is no credible basis for any suggestion that Comcast's inadvertent omission of certain calls from its previously filed FCC Form 480 reports was somehow related to its call completion performance.

⁸ Flowroute Reply Comments at 2.

⁹ Petition at 8-10.

¹⁰ *Id.* at 7-8.

¹¹ See Comments of NTCA – The Rural Broadband Association, WC Docket No. 13-39 (filed Sept. 26, 2016).

¹² Specifically, Comcast explained that NTCA offers no substantive support for its claim that Comcast's Petition should be denied. Instead, NTCA merely articulates the policy goals behind the Commission's rural call completion rules (*i.e.*, the importance of completing calls to rural exchanges). NTCA's policy objections are wholly unrelated to Comcast's Petition and therefore cannot serve as a basis for denying the requested relief. See *generally* Comcast Reply Comments.

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Based on the foregoing and the record in this proceeding, Comcast respectfully urges the Commission to promptly grant Comcast's requested limited waiver of certain call reporting and record retention rules.

Respectfully submitted,

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